

**Remarks/Arguments**

The Office Action dated April 6, 2005 has been noted and its contents carefully studied. In light of the foregoing amendments, reconsideration of the rejection under 35 U.S.C. §103 is courteously requested.

It is noted that the Examiner has maintained the rejection of the claims in light of the Kapoor and Lam references. It is also further noted that the Examiner has indicated that he is taking a broad interpretation of the limitation of the claims, although it is well established law that the claims should be interpreted in accordance with the disclosure of invention in the specification. The Examiner has further indicated that Applicants must submit amendments to the claims in order to distinguish over the prior art.

Accordingly, and in an effort to accommodate the Examiner, Applicants have made certain amendments in the claims herein which it is believed clearly distinguish further over the references.

Nonetheless, should the Examiner believe that there are other limitations which would distinguish the references, as indicated in a telephone call placed to the Examiner prior to the filing of this Response, Applicants would like to receive the Examiner's comments and consider any suggestion which the Examiner believes would distinguish over the references.

As further now clarified, claim 1 now requires that a query be initiated by the server to determine if the client is on the same system as the server. If the client is on the same system, then pointers are set directly to the client and server sockets to bypass the connection-oriented protocol. In addition, the data exchange on the interprocess communication facility occur on the same connection as that of the connection oriented protocol while bypassing it.

Similar amendments have been made to independent claim system claim 9 and it is respectfully urged that the claims as now amended clearly distinguish over the cited references, as is more clearly evident from the following detailed discussion.

**U.S. Patent No. 5,682,534 to Kapoor et al.**

U.S. Patent No. 5,682,534 to Kapoor et al. (hereinafter "Kapoor") previously discussed provides for a separate local RPC which is established as part of the operating system of the

same host machine, such that the communication is migrated from the original interprocess communications facility to a separate and dedicated RPC mechanism. The system includes two communication layers, i.e., a transport layer and a network layer

This is different from Applicants' invention. In Applicants' invention, although pointers are set between the server and there is a client on the same system, there is a direct connection between the server interprocess communications facility and the client interprocess communications facility. This provides for data exchange between the client and the server within the same connection as the connection oriented protocol.

This is separate and distinct and not obvious from Kapoor which provides that a separate local RPC must be established as part of the operating system in a dedicated manner which is not part of the same connections, and which requires two layers.

U.S. Patent No. 5,926,636 to Lam et al.

U.S. Patent No. 5,926,636 to Lam et al. (hereinafter "Lam") was also previously discussed, and Lam fails to add anything to the teachings of Kapoor to render obvious the invention as now recited in the claims. More specifically, as in the case of Kapoor, there is nothing in Lam that suggests that the bypassing of the connection oriented protocol is done by setting pointers between sockets between server and client and conducting the data exchange on the same connection as that as for the connection oriented protocol.

For the foregoing reasons, it is respectfully urged that all the claims clearly define patentable subject matter under 35 U.S.C. §103. Nonetheless, should the Examiner still have any comments, questions or suggestions of a nature necessary to expedite prosecution of the application or to place the case in condition for allowance, including any suggested amendments which the Examiner believes would render the claims allowable if not persuaded by the arguments advanced herein, he is courteously requested to telephone the undersigned at the number listed below.

Application No. 09/742,720  
Response to Final Rejection dated July 5, 2005  
Reply to Office Action dated April 6, 2005  
Express Mail EV723447745US

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Respectfully submitted,



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Enclosures

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